United Nations ST/IC/2014/21

Secretariat

25 July 2014

Information circular*

To: Members of the staff at Headquarters

From: The Assistant Secretary-General for Human Resources Management

Subject: **Hourly wage for household employees on G-5 visas**

1. The purpose of the present circular is to inform staff members who hold a G-4 visa and employ a household employee to whom a G-5 visa has been granted of a diplomatic note received from the United States Mission to the United Nations (see annex). The note concerns changes to the minimum hourly wage to be paid to such household employees.

2. The United States Mission advises the Secretariat that the Department of Labor's prevailing wage statistics for domestic workers have been updated for the period until June 2015. The prevailing hourly wage has been established at $10.02 per hour for the New York City metropolitan area, exceeding the federal minimum wage of $7.25 per hour and the New York State minimum wage of $8.00 per hour.

3. The United States Mission also advises that, for all hours worked, personal servants, attendants and domestic workers who are in the United States in non-immigrant G-5 visa status must be paid the greater of the minimum wage under United States federal and state laws or the prevailing wage in the location where they are employed. All domestic employees on G-5 visas in the New York City metropolitan area must therefore be paid according to the prevailing wage, which is a minimum of $10.02 per hour for all hours worked. All new contracts between domestic workers and their employers must reflect at least the minimum hourly wage established for the New York City metropolitan area.

4. In addition, the United States Mission reiterates that it is not permissible to withhold from wages any amount for meals, housing or other expenses, such as the provision of medical care, medical insurance or travel.

* The present circular, which will be in effect until further notice supersedes ST/IC/2013/30.

Annex

Diplomatic note dated 25 July 2014 from the United States Mission to the United Nations addressed to the Secretariat

The United States Mission to the United Nations presents its compliments to the United Nations Secretariat and has the honour to refer to its diplomatic note HC-59-S-14 dated 3 July 2014 (available from http://usun.state.gov/about/host_aff/c32857.htm) regarding the employment of domestic workers who are in the United States in non-immigrant A-3 or G-5 status. The Secretariat will note that for all hours worked, such domestic workers must be paid the greater of the minimum wage under United States federal or state law or the prevailing wage in the location (city and state) of the residence where the domestic worker is employed.

The United States Mission wishes to inform the Secretariat that the Department of Labor's prevailing wage statistics for domestic workers have been updated for the period until June 2015. The current prevailing wage rates for domestic workers in the United States can be found online at the Foreign Labor Certification Data Center website (www.flcdatacenter.com) by using the Search Wizard and selecting the applicable state or territory, then occupation 37-2012, "Maids and Housekeeping Cleaners".

The Level One prevailing hourly wage for "Maids and Housekeeping Cleaners" is now $10.02 per hour in the New York City area. This amount exceeds the federal minimum wage of $7.25 per hour and the New York State minimum wage of $8.00. Therefore, domestic workers employed in residences in the New York City metropolitan area must be paid in accordance with the prevailing wage rates noted above. In addition, all new contracts between domestic workers and their employers must reflect the updated wage amounts, and all existing contracts already in effect must be amended to reflect the updated wage amounts, with the changes initialled by both the domestic worker and the employer.

The United States Mission also wishes to remind the Secretariat that the Department of State has determined that providing meals and housing to domestic workers is for the benefit of the employer and, thus, has advised the Secretariat that it is not permissible for the employer to withhold any amount for meals and housing from the domestic worker's wages. Further, the United States Mission does not allow deductions from wages for any other expenses, such as the provision of medical care, medical insurance or travel. The United States Mission therefore recommends that United Nations personnel be advised that, if they have entered into contracts and/or payment practices with domestic workers that provide for deductions from wages, such contracts and/or practices must immediately be amended.